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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/578,020	LI ET AL.
	Examiner	Art Unit	
	ISAAC T. TECKLU	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 June 2009</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-35</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-35</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>06/18/2009, 04/06/2009</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-35 have been examined.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-35 have been considered but are moot in

view of the new ground(s) of rejection. See Milkey et al., art made of record below.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

4.   Claims 1-6, 8-11, 18-20, 25, 27-29, 32-35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Milkey et al. (US 2005/0273514 A1).

Per claim 1, Milkey teaches A system for obtaining at least one content file requested by a

content user from at least one content provider for remote site downloading at an access point (¶

[0055] a user of a handheld electronic device, such as a PDA or mobile telephone, sends a request to

central server 114 for delivery of content to client 112) and delivering the at least one content file

after arrival of the content user at the access point (see at least e.g. FIG. 7, step 7200 Deliver

Content to Client and related text), the system comprising:

a cache server having (see at least e.g. FIG. 1, Cache 118 and related text):

means to connect to a data network (see at least e.g. FIG. 1, 116 and related text),

means to download the at least one content file from the at least one content providers over

the data network upon receipt of a proxy (in step 920, scheduling module 416 of central server 114

schedules the delivery of the content to the source device such as the cache 118, i.e., at a first

scheduled time, transferring the content of delivery to the source/cache 118 to optimize the delivery

of content to the client 112, ¶ [0056-0057] Fig. 1),

means to store the at least one downloaded content file (see at least ¶ [0030] "… delivered to

the client 112 and stored there…" and e.g. FIG. 1, 112 and related text), and

Milkey does not explicitly disclose means to locally deliver at access point the at least one

stored content file to the content user which requested the content file. Nevertheless, Milkey does

disclose the source device, the cache 118 delivers the content file to the client 112 such that the

transfer is completed by the deadline (see at least ¶ [0018] "… delivery of content to the client…"

and e.g. FIG. 9, step 922). It is respectfully submitted that one having ordinary skill in the art at the

time the invention was made would have recognized that in order for the cache 118 to deliver the

content to client 112 by the deadline time 't', it would require the cache 118 schedule a file transfer

commencement time at t-x seconds, where x is the amount of transfer time it takes for the transfer

to be completed by the deadline time 't'. Thus, it is respectfully submitted that it would have been

obvious to one skilled in the art at time the invention was made to incorporate the feature of

delivering the content 112 from the source/cache 118 such that the transfer is complete by the

deadline, as suggested by Milkey, to include transferring the content from said cache server to a file

receiving device at a second scheduled file transfer commencement time. The motivation would be

to allow content files from multiple source configured to be delivered automatically and optimally to

multiple destinations (including delivering to the requesting device or to another device) at a

predetermined time later than the request was received from a user, such that the transfer or delivery

is complete by a specified deadline (see at least ¶ [0002] and ¶ [0009).

Per claim 2, Milkey teaches wherein the means to locally deliver the content file comprises a

wireless router at the access point (see at least ¶ [0055] "… handheld device mobile telephone sends

a request to central server …").

Per claim 3, Milkey teaches means to dynamically create a directory for a content user when

a content file requested by the content user is downloaded from the content provider (see at least ¶

[0038] "… files in client downloads in variety of ways… file type, subject matter… author…"),

means to store the downloaded content file in the directory corresponding to the content

user, and means to synchronize the downloaded content file to the content user when the content

user is at the access point (see at least ¶ [0018] "… delivery of content to the client…").

Per claim 4, Milkey teaches further comprising means to share stored content files for

multiple content users including at least one dynamic user directory (see at least ¶ [0038] "… files in

client downloads in variety of ways… file type, subject matter… author…").

Per claim 5, Milkey discloses the system of claim 1, wherein the cache server to be a

networked set-top box (paragraph [0008] "… set-top boxes…").

Per claim 6, Milkey teaches wherein the proxy is a data set (see at least (see at least ¶ [0038]

"… files in client downloads in variety of ways… file type, subject matter… author…").

Per claim 8, Milkey teaches wherein the proxy is a data set or executable object contained in

an e-mail or an instant message received by the cache server (see at least ¶ [0044] "… an email

message …").

Per claim 9, Milkey teaches wherein the proxy comprises data identifying the content file,

content provider, content user, and/or expected time of arrival at the access point (¶ [0032] "…

runtime module is implemented as a proxy server…" and e.g. FIG. 7, step 718 Schedule Delivery of

Content).

Per claim 10, Milkey teaches wherein the means to locally deliver comprises a wireless router

or access point bridge at the access point, programming to enable the content user to log in at the

her access point with a mobile device and, upon authentication of a logged in content user, routing

the content file to the content user's mobile device (see at least ¶ [0055] "… handheld device mobile

telephone sends a request to central server ...").

Per claim 11, Milkey teaches wherein the cache server is a networked, Internet-enabled

digital storage device (see at least e.g. FIG. 1, 116 and related text).

Per claim 18, Milkey teaches A system for facilitating the transferring of a content file from a

remote content provider to a cache server over the Internet and for locally transferring the content

file to a content user mobile device comprising (see at least e.g. FIG. 1, 116 and related text),

means in the cache server for receiving and decoding a proxy containing parameters comprising an identification of the content file to be downloaded and the Internet address of the content provider (see at least e.g. FIG. 1, 118 and related text);

means for executing the proxy to download the identified content file to the cache server (¶ [0032] "… runtime module is implemented as a proxy server…" and e.g. FIG. 7, step 718 Schedule Delivery of Content); and

Milkey does not explicitly disclose means for transferring the downloaded content file to the content user mobile device. Nevertheless, Milkey does disclose the source device, the cache 118 delivers the content file to the client 112 such that the transfer is completed by the deadline (see at least ¶ [0018] "… delivery of content to the client…" and e.g. FIG. 9, step 922). It is respectfully submitted that one having ordinary skill in the art at the time the invention was made would have recognized that in order for the cache 118 deliver the content to client 112 by the deadline time 't', it would require the cache 118 schedule a file transfer commencement time at t-x seconds, where x is the amount of transfer time it takes for the transfer to be completed by the deadline time 't'. Thus, it is respectfully submitted that it would have been obvious to one skilled in the art at time the invention was made to incorporate the feature of delivering the content 112 from the source/cache 118 such that the transfer is complete by the deadline, as suggested by Milkey, to include transferring the content from said cache server to a file receiving device at a second scheduled file transfer commencement time. The motivation would be to allow content files from multiple source configured to be delivered automatically and optimally to multiple destinations (including delivering to the requesting device or to another device) at a predetermined time later than the request was received from a user, such that the transfer or delivery is complete by a specified deadline (see at least ¶ [0002] and ¶ [0009).

Per claim 19, Milkey teaches means for storing the received proxy; wherein the proxy

comprises data identifying a time at which the content file is to be downloaded from the content

provider; and wherein the means for using the proxy comprises means for using the stored proxy to

download the content file from the content provider at the time indicated in the data of the proxy (¶

[0032] "… runtime module is implemented as a proxy server…" and e.g. FIG. 7, step 718 Schedule

Delivery of Content).

Per claim 20, Milkey teaches means for receiving a proxy comprises means for receiving a

proxy containing parameters including content user authentication data required for the content

user to synchronize with the cache server and obtain access to the downloaded content file; and

wherein the means for using the proxy comprises means for using the user information contained in

the proxy to download the identified data from the identified at least one server (¶ [0032] "…

runtime module is implemented as a proxy server…" and e.g. FIG. 7, step 718 Schedule Delivery of

Content).

Per claim 25, Milkey teaches A method of caching at least one content files at a access point

for a at least one plurality of content users who has requested, prior to being present at the access

point hotspot, the at least one a content file to be downloaded from a content server and stored for

delivery when the at least one content user is present at the her access point (see at least e.g. FIG. 1

and related text) comprising

upon receipt at the cache server of a message which identifies a request for at least one

content file ordered by a the at least one content user prior to the at least one content user being

present at the access point downloading the at least one content file from the remote cache server

over the content server (in step 920, scheduling module 416 of central server 114 schedules the delivery of the content to the source device such as the cache 118, i.e., at a first scheduled time, transferring the content of delivery to the source/cache 118 to optimize the delivery of content to the client 112, ¶ [0056-0057] Fig. 1),

storing the downloaded content file at the access point (see at least ¶ [0030] "... delivered to the client 112 and stored there..." and e.g. FIG. 1, 112 and related text); and

upon an at least one content user mobile device logging in at the access point, transmitting the at least one content file to the at least one content user mobile device (see at least ¶ [0032] "... logging module... proxy server... extract data such as web site identity, time of day and page load times...").

Milkey does not explicitly disclose means to locally deliver at access point the at least one stored content file to the content user which requested the content file. Nevertheless, Milkey does disclose the source device, the cache 118 delivers the content file to the client 112 such that the transfer is completed by the deadline (see at least ¶ [0018] "... delivery of content to the client..." and e.g. FIG. 9, step 922). It is respectfully submitted that one having ordinary skill in the art at the time the invention was made would have recognized that in order for the cache 118 deliver the content to client 112 by the deadline time 't', it would require the cache 118 schedule a file transfer commencement time at t-x seconds, where x is the amount of transfer time it takes for the transfer to be completed by the deadline time 't'. Thus, it is respectfully submitted that it would have been obvious to one skilled in the art at time the invention was made to incorporate the feature of delivering the content 112 from the source/cache 118 such that the transfer is complete by the deadline, as suggested by Milkey, to include transferring the content from said cache server to a file receiving device at a second scheduled file transfer commencement time. The motivation would be

to allow content files from multiple source configured to be delivered automatically and optimally to

multiple destinations (including delivering to the requesting device or to another device) at a

predetermined time later than the request was received from a user, such that the transfer or delivery

is complete by a specified deadline (see at least ¶ [0002] and ¶ [0009).

Per claim 27, Milkey teaches the mobile device is a wireless enabled personal data assistant or

a web-enabled cellular telephone (see at least ¶ [0055] "... mobile telephone...").

Per claim 28, Milkey teaches the message comprises a proxy for an order for the content file

(see at least ¶ [0055] "... request to central server for delivery...").

Per claim 29, Milkey teaches A method for facilitating the transfer of a content file from at

least one remote content provider server to a content user mobile device comprising: (see at least

e.g. FIG. 1 and related text);

 receiving an access point wireless network an authenticated download order for a content

file request from the content user mobile device downloading the content file at the access point

wireless local area network, caching the content file (¶ [0055] a user of a handheld electronic device,

such as a PDA or mobile telephone, sends a request to central server 114 for delivery of content to

client 112), and

upon the content user mobile client device signing in to the access point wireless delivering

the content file to the content user mobile client device (in step 920, scheduling module 416 of

central server 114 schedules the delivery of the content to the source device such as the cache 118,

i.e., at a first scheduled time, transferring the content of delivery to the source/cache 118 to optimize the delivery of content to the client 112, ¶ [0056-0057] Fig. 1).

Milkey does not explicitly disclose means to locally deliver at access point the at least one stored content file to the content user which requested the content file. Nevertheless, Milkey does disclose the source device, the cache 118 delivers the content file to the client 112 such that the transfer is completed by the deadline (see at least ¶ [0018] "… delivery of content to the client…" and e.g. FIG. 9, step 922). It is respectfully submitted that one having ordinary skill in the art at the time the invention was made would have recognized that in order for the cache 118 deliver the content to client 112 by the deadline time 't', it would require the cache 118 schedule a file transfer commencement time at t-x seconds, where x is the amount of transfer time it takes for the transfer to be completed by the deadline time 't'. Thus, it is respectfully submitted that it would have been obvious to one skilled in the art at time the invention was made to incorporate the feature of delivering the content 112 from the source/cache 118 such that the transfer is complete by the deadline, as suggested by Milkey, to include transferring the content from said cache server to a file receiving device at a second scheduled file transfer commencement time. The motivation would be to allow content files from multiple source configured to be delivered automatically and optimally to multiple destinations (including delivering to the requesting device or to another device) at a predetermined time later than the request was received from a user, such that the transfer or delivery is complete by a specified deadline (see at least ¶ [0002] and ¶ [0009).

Per claim 32, Milkey teaches A method for facilitating the transferring of a content file from a remote content provider server (see at least paragraph [0014] "… transmit the stored content … when the wireless device is an area covered by the at least one hotspot network…"):

providing a proxy that facilitates the downloading of the content file from the content

provider server (see at least e.g. FIG. 1, Cache 118 and related text);

transmitting the proxy to a cache server at a access point enabled to execute the proxy to

download the content file from the remote content provider server and (see at least ¶ [0046] "…

identifies content …. Based on user preference… " and ¶ [0051] "… includes the identity of the

selected content and the delivery deadline…"),

upon the content user mobile device being associated with access point cache server,

transferring the downloaded content file to the content user mobile device (in step 920, scheduling

module 416 of central server 114 schedules the delivery of the content to the source device such as

the cache 118, i.e., at a first scheduled time, transferring the content of delivery to the source/cache

118 to optimize the delivery of content to the client 112, ¶ [0056-0057] Fig. 1).

Milkey does not explicitly disclose means to locally deliver at access point the at least one

stored content file to the content user which requested the content file. Nevertheless, Milkey does

disclose the source device, the cache 118 delivers the content file to the client 112 such that the

transfer is completed by the deadline (see at least ¶ [0018] "… delivery of content to the client…"

and e.g. FIG. 9, step 922). It is respectfully submitted that one having ordinary skill in the art at the

time the invention was made would have recognized that in order for the cache 118 deliver the

content to client 112 by the deadline time 't', it would require the cache 118 schedule a file transfer

commencement time at t-x seconds, where x is the amount of transfer time it takes for the transfer

to be completed by the deadline time 't'. Thus, it is respectfully submitted that it would have been

obvious to one skilled in the art at time the invention was made to incorporate the feature of

delivering the content 112 from the source/cache 118 such that the transfer is complete by the

deadline, as suggested by Milkey, to include transferring the content from said cache server to a file

receiving device at a second scheduled file transfer commencement time. The motivation would be

to allow content files from multiple source configured to be delivered automatically and optimally to

multiple destinations (including delivering to the requesting device or to another device) at a

predetermined time later than the request was received from a user, such that the transfer or delivery

is complete by a specified deadline (see at least ¶ [0002] and ¶ [0009).

Per claim 33, this method claim substantially paralleling the limitations in the computer

program product 22. Milkey further discloses the use of such method in implementing the

prescribed steps, and all other limitations have been addressed as set forth above.

Per claim 34, Milkey teaches a method for facilitating the transfer of content file from a

remote content provider server to a content user mobile device (see at least e.g. FIG. 1 and related

text) comprising:

programming in the mobile device which causes the mobile device, in response to content

user input, to provide parameters to a cache server, the parameters including at least the identity of

the content file to be downloaded and the identity of the content provider server and the cache

server (see at least e.g. FIG. 1, 116 and related text),

in response to receiving the parameters provided by the mobile device, using the parameters

to cause the identified content file to be downloaded from the remote content provider server (see

at least ¶ [0046] "… identifies content …. Based on user preference… " and ¶ [0051] "… includes

the identity of the selected content and the delivery deadline…"), and

in response to a communication received from the mobile device, transferring the

downloaded content file to the mobile device (see at least ¶ [0018] "… delivery of content to the

client…").

Milkey does not explicitly disclose means to locally deliver at access point the at least one

stored content file to the content user which requested the content file. Nevertheless, Milkey does

disclose the source device, the cache 118 delivers the content file to the client 112 such that the

transfer is completed by the deadline (see at least ¶ [0018] "… delivery of content to the client…"

and e.g. FIG. 9, step 922). It is respectfully submitted that one having ordinary skill in the art at the

time the invention was made would have recognized that in order for the cache 118 deliver the

content to client 112 by the deadline time 't', it would require the cache 118 schedule a file transfer

commencement time at t-x seconds, where x is the amount of transfer time it takes for the transfer

to be completed by the deadline time 't'. Thus, it is respectfully submitted that it would have been

obvious to one skilled in the art at time the invention was made to incorporate the feature of

delivering the content 112 from the source/cache 118 such that the transfer is complete by the

deadline, as suggested by Milkey, to include transferring the content from said cache server to a file

receiving device at a second scheduled file transfer commencement time. The motivation would be

to allow content files from multiple source configured to be delivered automatically and optimally to

multiple destinations (including delivering to the requesting device or to another device) at a

predetermined time later than the request was received from a user, such that the transfer or delivery

is complete by a specified deadline (see at least ¶ [0002] and ¶ [0009).

Per claim 35, Milkey teaches wherein the mobile device contains the programming (¶ [0055]

a user of a handheld electronic device, such as a PDA or mobile telephone, sends a request to

central server 114 for delivery of content to client 112).

5.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Milkey et al. (US

20050128995 A1) in view of Ott (US 2005/0128995 A1).

Per claim 26, Milkey substantially disclosed the invention as claimed above. However, Milkey

does not explicitly disclose the content file is delivered to the content user mobile device when the

mobile device has logged in at the access point hotspot and the content user mobile device requests

the delivery. Nevertheless, as evidenced by the teaching of Ott, it is known to deliver the content file

in a mobile device once the mobile device detects hotspot network (see at least ¶ [0014]). Thus, it is

respectfully submitted that it would have been obvious to one skilled in the art at the time the

invention was made to deliver the content to a user mobile device in an access point hotspot in

order optimally and efficiently deliver the content using hotspot that utilize high bandwidth coverage

as once suggested by Ott (see at least ¶ [0049]).

6.   Claims 7 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milkey et

al. (US 20050128995 A1) in view of Sidles (US 2002/0062342 A1).

Per claim 7, Milkey substantially disclosed the invention as claimed above. However, Milkey

was silent regarding the proxy comprising. Nevertheless, as evidenced by the teaching of Sidles, it is

known to have a proxy comprising cookies (see at least ¶ [0077]). Thus, it is respectfully submitted

that it would have been obvious to one skilled in the art at the time the invention was made to use

cookies to detect user information and status information to authenticate user without the need to

query user's identification and password as once suggested by Sidles (see at least ¶ [0077]).

Per claim 30, Milkey teaches A method for ordering a content file over a first network from

a remote content provider at a first time and receiving the content file at a second time over access

point network (LAN) comprising (see at least e.g. FIG. 7, 712-720 and related text):

selecting an access point (see at least ¶ "… user selects a location for the delivery of the

content…")

ordering over the first network the content file from the remote content provider server at

the first time for downloading at the selected access point sending order identification data

comprising a URL of the content file (see at least ¶ [0009] "… delivery of content over the

network…", e.g. FIG. 1 and related text);

sending order identification data comprising a URL of the content file and a session specific

cookie to the access point (see at least ¶ [0027] "… communicates with a web sites…");

responsive to reception of the order identification data at the selected hot spot access point

downloading the content file from the content provider server and storing the content file in storage

cache in the access point network (see at least ¶ [0035] "… download manager…", ¶ [0037] "…

client downloads may include audio recording…") ;

Milkey does not explicitly disclose synchronizing a content user mobile device at the second

time to the access point; and transferring the cached content file to the content user mobile device.

Nevertheless, Milkey does disclose the source device, the cache 118 delivers the content file to the

client 112 such that the transfer is completed by the deadline (see at least ¶ [0018] "… delivery of

content to the client…" and e.g. FIG. 9, step 922). It is respectfully submitted that one having

ordinary skill in the art at the time the invention was made would have recognized that in order for

the cache 118 deliver the content to client 112 by the deadline time 't', it would require the cache

118 schedule a file transfer commencement time at t-x seconds, where x is the amount of transfer

time it takes for the transfer to be completed by the deadline time 't'. Thus, it is respectfully

submitted that it would have been obvious to one skilled in the art at time the invention was made

to incorporate the feature of delivering the content 112 from the source/cache 118 such that the

transfer is complete by the deadline, as suggested by Milkey, to include transferring the content from

said cache server to a file receiving device at a second scheduled file transfer commencement time.

The motivation would be to allow content files from multiple source configured to be delivered

automatically and optimally to multiple destinations (including delivering to the requesting device or

to another device) at a predetermined time later than the request was received from a user, such that

the transfer or delivery is complete by a specified deadline (see at least ¶ [0002] and ¶ [0009).

Milkey substantially disclosed the invention as claimed above. However, Milkey was silent

regarding a session specific cookie to the access. Nevertheless, as evidenced by the teaching of

Sidles, it is known to have a session specific cookie to the access point (see at least ¶ [0077]). Thus, it

is respectfully submitted that it would have been obvious to one skilled in the art at the time the

invention was made to use cookies to detect user information and status information to authenticate

user without the need to query user's identification and password as once suggested by Sidles (see at

least ¶ [0077]).

Per claim 31, Milkey substantially disclosed the invention as claimed. However, Milkey was

silent regarding the session specific cookie comprises the identity of user information and payment

status, the selected access point using the cookie to cause the data to be transferred from the at least

one server to the computer. Nevertheless, as evidenced by the teaching of Sidles, it is well known to

have a session specific cookie comprises the identity of user information and payment status, the

selected access point using the cookie to cause the data to be transferred from the at least one server

to the computer (see at least ¶ [0077]) . Thus, it is respectfully submitted that it would have been

obvious to one skilled in the art at the time the invention was made to use cookies to detect user

information and status information to authenticate user without the need to query user's

identification and password as once suggested by Sidles (see at least ¶ [0077]).

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in
> the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent
> by another filed in the United States before the invention by the applicant for patent, except that an international
> application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
> application filed in the United States only if the international application designated the United States and was
> published under Article 21(2) of such treaty in the English language.

8.   Claims 12, 14-16 and 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Mikey

et al. (US 2005/0273514 A1).

        Per claim 12, Milkey teaches a system for facilitating the transferring of a content file from a

content provider to a content user mobile device comprising:

        means for generating a proxy that identifies the content file, content provider, and content

user; information about local service provider, content file and content user (see at least ¶ [0010] "...

determine what content to transfer …", ¶ [0014] "… select content to be delivered…", ¶ [0030] "…

when a user at client access web site…", ¶ [0032] "… runtime module is implemented as a proxy

server…" and e.g. FIG. 1, 112, 114, 122, 116 and FIG. 7, step 718 Schedule Delivery of Content);

and

         means for transmitting the proxy to the cache server at an access point (see at least ¶ [0024]

"… file transfers may originate from cache 118…", ¶ [0033], ¶ [0047] "… source for data files that

may be transferred to client…" and e.g. FIG. 1, 118 and related text).

         Per claim 14, Milkey teaches means for obtaining parameters including at least the identity of

the content file, the identity of the content provider, and the identity of the access point having the

cache server, wherein the means for providing the proxy comprises means for providing a proxy

using the obtained parameters (¶ [0032] "… runtime module is implemented as a proxy server…"

and e.g. FIG. 7, step 718 Schedule Delivery of Content).

         Per claim 15, Milkey teaches means for the content user to pay the content provider and/or

a remote downloading service provider for permission to remotely download the content file to the

cache server at the access point and/or for locally transferring the content file from the cache server

to a mobile device (see at least e.g. FIG. 7, step 720 Deliver Content to Client and related text).

         Per claim 16, Milkey teaches the means for obtaining parameters comprises means for

capturing a request to the cache server to download the content file; and means for extracting at

least some of the parameters from the captured request (see at least e.g. FIG. 7, step 718 Schedule

Delivery of Content and related text).

Per claim 17, Milkey teaches the means for providing a proxy comprises means for providing

a proxy including computer code which, when executed at the access point, causes the content file

to be downloaded from the content provider (see at least paragraph [0014] "… transmit the stored

content … when the wireless device is an area covered by the at least one hotspot network…",

[0053] "… deliver new and relevant content to the I-Station 130…" and paragraph [0054] "… when

a mobile 110 visits an I-Station 130… retrieves the mobile's interest profile 120 and the content of

its cache…download to the mobile 110…").

Per claim 21, Milkey teaches A computer program product comprising a computer usable

medium having computer readable code embodied therein, the computer readable code, when

executed, causing a computer to implement a method for facilitating the transferring of a content

file from a remote content provider to a cache server at an access point and later to a local content

user client device comprising (¶ [0009] "… files may be transferred to a destination in response to a

request from a user…" and ¶ [0039] "… transfer of files from client downloads to other devices in

network…"):

providing a proxy that facilitates the downloading of a content file to a cache server from a

remote content provider over the Internet using Internet protocol; and transmitting the proxy to a

cache server capable of using the proxy to download the content file from the remote content

provider over the Internet and later transfer the downloaded content file to the client device (¶

[0032] "… runtime module is implemented as a proxy server…" and e.g. FIG. 7, step 718 Schedule

Delivery of Content).

Per claim 22, Milkey teaches wherein the implemented method further comprises obtaining parameters including at least the identity of the content file, the identity of the content provider, the identity of the cache server, and identity of the content user; and wherein, in the implemented method, providing a proxy comprises providing a proxy using the obtained parameters (see at least ¶ [0046] "… identifies content …. Based on user preference… " and ¶ [0051] "… includes the identity of the selected content and the delivery deadline…").

Per claim 23, Milkey teaches wherein, in the implemented method, obtaining parameters comprises capturing a content user request to the content provider for permission for the cache server to download the identified content file (see at least e.g. FIG. 1 and related text); and extracting at least some of the parameters from the captured request (¶ [0009] "… files may be transferred to a destination in response to a request from a user…" and ¶ [0039] "… transfer of files from client downloads to other devices in network…").

Per claim 24, Milkey teaches wherein, in the implemented method, providing a proxy comprises providing a proxy including computer code which, when executed, causes the content file to be downloaded from the content provider (¶ [0032] "… runtime module is implemented as a proxy server…" and e.g. FIG. 7, step 718 Schedule Delivery of Content).

9.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Milkey et al. (US 2005/0273514 A1).

Per claim 13, Milkey teaches comprising a cache server at the access point which has means to download the content file from the remote content provider according to the transmitted proxy and means to locally transmit the content file to a content user mobile device (¶ [0032] "… runtime module is implemented as a proxy server…" and e.g. FIG. 7, step 718 Schedule Delivery of Content),

said means to locally transmit the content file comprising means in the cache server for receiving and decoding a proxy containing parameters comprising an identification of the content file to be downloaded and the Internet address of the content provider (see at least ¶ [0053] "… identified in variety of ways… email address… internet protocol …");

means for executing the proxy to download the identified content file from the content provider; and means for transferring the downloaded content file to the content user mobile device at the access point (see at least e.g. FIG. 1, Client 112 and related text).

Milkey does not explicitly disclose means to locally deliver at access point the at least one stored content file to the content user which requested the content file. Nevertheless, Milkey does disclose the source device, the cache 118 delivers the content file to the client 112 such that the transfer is completed by the deadline (see at least ¶ [0018] "… delivery of content to the client…" and e.g. FIG. 9, step 922). It is respectfully submitted that one having ordinary skill in the art at the time the invention was made would have recognized that in order for the cache 118 deliver the content to client 112 by the deadline time 't', it would require the cache 118 schedule a file transfer commencement time at t-x seconds, where x is the amount of transfer time it takes for the transfer to be completed by the deadline time 't'. Thus, it is respectfully submitted that it would have been obvious to one skilled in the art at time the invention was made to incorporate the feature of delivering the content 112 from the source/cache 118 such that the transfer is complete by the

deadline, as suggested by Milkey, to include transferring the content from said cache server to a file receiving device at a second scheduled file transfer commencement time. The motivation would be to allow content files from multiple source configured to be delivered automatically and optimally to multiple destinations (including delivering to the requesting device or to another device) at a predetermined time later than the request was received from a user, such that the transfer or delivery is complete by a specified deadline (see at least ¶ [0002] and ¶ [0009).

Conclusion

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAC T. TECKLU whose telephone number is (571) 272-7957. The examiner can normally be reached on M-TH 9:300A - 8:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Isaac T Tecklu/   /Michael J. Yigdall/
Examiner, Art Unit 2192   Primary Examiner, Art Unit 2192